

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SUSANNE BECKER,

Plaintiff,

vs.

JAMES THOMAS HURD,

Defendant.

8:23CV208

MEMORANDUM AND ORDER

Plaintiff, a non-prisoner, filed a Motion for Leave to Proceed in Forma Pauperis. [Filing No. 2](#) and [Filing No. 6](#). Both motions contain largely the same information but the form at [Filing No. 6](#) comes from the United States Supreme Court. Upon review of Plaintiff's Motions, the Court finds that Plaintiff is financially eligible to proceed in forma pauperis.

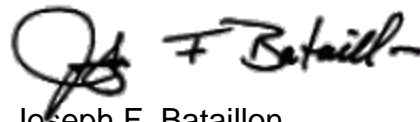
Plaintiff also filed a document docketed as a Motion for Summons, [Filing No. 3](#) that contains a form summons for Defendant. The Court is required to review in forma pauperis complaints to determine whether summary dismissal is appropriate. See [28 U.S.C. § 1915\(e\)\(2\)](#). The Court must dismiss a complaint or any portion thereof that states a frivolous or malicious claim, that fails to state a claim upon which relief may be granted, or that seeks monetary relief from a defendant who is immune from such relief. [28 U.S.C. § 1915\(e\)\(2\)\(B\)](#). The Court has not conducted an initial review of Plaintiff's Complaint, and this matter may not proceed to service until it does so. Accordingly, the Court will deny Plaintiff's Motion for Summons.

IT IS THEREFORE ORDERED that:

1. Plaintiff's Motions for Leave to Proceed in Forma Pauperis, [Filing No. 2](#) and [Filing No. 6](#), are granted, and the Complaint shall be filed without payment of fees.
2. Plaintiff's Motion for Summons, [Filing No. 3](#), is denied without prejudice to reassertion.
3. Plaintiff is advised that the next step in her case will be for the Court to conduct an initial review of her claims to determine whether summary dismissal is appropriate under [28 U.S.C. § 1915\(e\)\(2\)](#). The Court will conduct this initial review in its normal course of business.

Dated this 12th day of June, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon". The signature is stylized with a large initial "J" and a long horizontal stroke at the end.

Joseph F. Bataillon
Senior United States District Judge